

UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF WASHINGTON

STEVEN M. HARPER,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant

Civil No. C07-5258RBL

ORDER FOR REMAND

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded for further administrative proceedings, including, but not limited to, the following actions: the administrative law judge (ALJ) will hold a hearing; the ALJ will give further consideration to the examining source opinions, including the opinion evidence provided by Dr. Krueger (Tr. 193-200), Dr. Bremer (Tr. 206-209), and Dr. Wheeler (Tr. 210-213, 264-267, 310-313), and the ALJ will clearly explain the weight given to such

1 opinion evidence and the reasons for such weight; the ALJ will give further consideration to the
2 nonexamining source opinions, including the opinion evidence provided by Dr. Lewis and
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4 Dr. Callingwood (Tr. 248-251), Dr. Lysak (Tr. 274-277), and Dr. Clifford (Tr. 306-308), and the
5 ALJ will clearly explain the weight given to such opinion evidence and the reasons for such
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7 weight; as appropriate, the Administrative Law Judge may request the examining sources to
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9 provide additional evidence and/or further clarification of the opinions and medical source
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11 statements about what Plaintiff can still do despite the impairments (20 C.F.R. § 416.912); the
12 ALJ will further consider the lay evidence in the record, specifically, the information from
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14 Gregory Grunert (Tr. 89-97), Jim Harper (Tr. 98-106), and Earl Campbell (Tr. 137-145) and the
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16 ALJ's hearing decision will provide rationale which shows the lay information was considered
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18 when assessing Plaintiff's credibility, articulate the weight that was given to the lay information in
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20 the record, and if rejected, provides reasons that are germane to each lay source; the ALJ will
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22 further evaluate Plaintiff's residual functional capacity; and, if warranted by the expanded record,
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24 the ALJ will obtain evidence from a vocational expert to clarify the effect of the assessed
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26 limitations on Plaintiff's occupational base.
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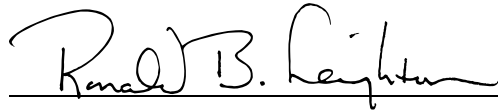
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1 This case is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g)

2 DATED this 29th day of October, 2007.

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6 RONALD B. LEIGHTON
7 UNITED STATES DISTRICT JUDGE

8 Recommended for Entry:

9
10 /s/ J. Kelley Arnold

11 UNITED STATES MAGISTRATE JUDGE

12
13 Presented by:

14 s/ Daphne Banay

15 Daphne Banay

16 Special Assistant U.S. Attorney

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